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MACILWINEN, JOHN MOORE JAIN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/652,255	BASU ET AL.
	Examiner	Art Unit
	John M. Macllwinen	2142

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>11 August 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☒ The period for reply expires <u>4</u> months from the mailing date of the final rejection.

    b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ They raise the issue of new matter (see NOTE below);

    (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: _____.

    Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Andrew Caldwell/
Supervisory Patent Examiner, Art Unit 2142

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed 8/11/2008 have been fully considered but they are not persuasive.

2.   Applicant beings by arguing claim 38, which was rejected under 35 USC 103, Garg in view of Li. Applicant argues that "Nowhere in this section, or elsewhere, does Garg disclose or suggest causing one or more of the nodes in the network to move to systematically remove the cutvertices from the network and form a biconnected network". In response to this argument against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

3.   Applicant continues by addressing Li, arguing that "Nowhere in this section, or elsewhere, does Li disclose or suggest causing one or more of the nodes in the network to move to systematically remove the cutvertices from the network and form a biconnected network." However, Li was not cited to teach all of this, and thus Applicant's argument is not persuasive. As was noted above, claim 38 was rejected under 35 USC 103, Garg in view of Li. In response to this argument against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

4.   Applicant next argues that "Li is not concerned with whether a node is biconnected." However, as Li was not cited to teach biconnectivity, Applicant's argument is not persuasive.

5.   Applicant next argues Garg, stating that Garg "discloses finding minimum 2-edge connected and 2-vertex connected subgraphs in a given graph." Applicant continues by arguing that "Finding minimum 2-edge connected and 2-vertex connected subgraphs is in now way equivalent to systematically removing cutvertices from a network and forming a biconnected network." However, as the Examiner noted in the previous action, the "removing the cutvertices from the network to form a biconnected network" claim language is clearly shown by Garg. The title of Garg, "Improved Approximation Algorithms for Biconnected Subgraphs . . ." alludes to this. Specific support can be found starting on the first line in the Abstract, which states "We consider the problems of finding minimum 2-edge connected and 2-vertex connected subgraphs in a given graph". Said "2-edge connected and 2-vertex connected" is simply another way of referring to biconnectivity, and refer to the properties that define biconnectivity. Applicant addresses this statement by the Examiner, but then states "Regardless of the validity of the Examiner's statement, Garg et al. does not disclose systematically removing cutvertices from a network and forming a biconnected network."

      However, Garg in view of Li clearly do show this claim language, as was explained in the prior rejection and is explained above. As was noted in the previous action, Garg in Section 2, discusses "The problems of 2EC and 2VC (that is, 2-edge-conencted and 2-vertex-connected, which, as noted above, is simply another term for biconnectivity) can be posed for weighted graphs as well". Section 3, the following section, is then focused on utilizing "graph carvings" to improve on the biconnectivity solutions of Section 2. Finally, more details regarding the "removing the cutvertices from the network to form a biconnected network" can be found in section 3.1, which discusses "partition of vertices into blocks", then works removing the cut vertices ("check if u, the parent of v in T, threatens to be a cut vertex"). Also, as was noted in the previous and is noted in the present Office Action, biconnected graphs are defined by a lack of cut vertices, and thus making a graph biconnected inherently results in the removal of cut vertices. Garg, as shown above, thus utilizes the term "graph carvings" to discuss the removal of cutvertices. Applicant's arguments thus are not persuasive.

6.   Applicant next argues that Garg in view of Li "do not disclose or suggest causing one or more of the nodes in the network to move systematically remove the cutvertices from the network to form a biconnected network." To support this assertion, Applicant argues that Li discloses "computing a trajectory for sending a message, not moving one or more nodes in the determined direction and distance to transform a non-biconnected network to a biconnected network." However, Li was not cited to teach all of the above, Garg in view of Li were. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

      Applicant next argues that "The Examiner does not explain why one skilled in the art would reasonable construe Li et al.'s disclosure . . . as equivalent to moving one or more nodes in the determined direction or distance" and that because of this, "a prima facie case of obviousness has not been established." However, as was noted above, Li alone was not cited to teach all of "moving one or more nodes in the determined direction and distance to transform a non-biconnected graph network to a biconnected network." The Applicant is again attacking the Examiner's references individually, and in their arguments, asserting that the references were cited to teach more and/or different things than the Examiner claimed they do teach.

      For example, Applicant has argued, in relation to claim 39, that Li does not show "moving one or more nodes in the determined direction and distance to transform a non-biconnected graph network to a biconnected network". However, in the previous rejection, Li was cited in the following manner:

         Li showing identifying one or more of the nodes to move (Li, Section 1); determining   direction and distance to move the one or more nodes; and moving the one or more nodes in the determined direction and distance (where Li shows changing a nodes trajectory (Section   1) along with how a node move and where a node moves to (Section 3.2), thus inherently showing 'a determined direction and distance').

 To provide further clarification for the Applicant, Li, for example, shows node movement in Section 1 by stating "asking intermediate hosts to change their trajectory" and "a host can change its trajectory."

      Regarding reasons for combining Garg with Li, the Examiner stated in the previous action:

         It would have been obvious to one of ordinary skill in the art at the time of the   invention to modify the disclosure of Garg with that of Li in order to provide for a method for the semi-autonomous robotic nodes of Li's disclosure to efficiently orient and network
         themselves in a biconnected network, which, due to the lack of cutvertices, provides a reliable   network configuration (an inherent property of biconnected networks, Mount, pg. 1).

Applicant has not addressed the provided reasons for combination, and thus for this reason and the reasons given above, Applicant's arguments are not persuasive.

7.   Applicant next argues that claim 49 should be allowable for the reasons given above; however Applicant's arguments are unpersuasive for said reasons given above.

8.   Applicant next addresses claim 1, rejected under 35 USC 103, Garg in view of Li and Templin. Applicant argues that Garg in view of Li and Templin do not disclose "collectively moving nodes in one or more of the leaf blocks to make the network biconnected." Applicant further argues that the Examiner has not established a prima facie case of obviousness, and, in fact, the Examiner asserted that Templin teaches away from collectively moving nodes." However, as the Examiner stated in the last Office Action, no such assertion has ever been made. Applicant's argument thus is not persuasive.

9.   Applicant states that they are interpreting Templin's teachings as teaching away "because collectively moving nodes might not minimize node movement." However, Applicant does not provide support for this assertion. Furthermore, when Applicant made similar arguments previously, further clarification for the rejection of claim 1 was provided by the Examiner, said clarification being:
                Garg was cited to show forming blocks from groups of nodes (3.1, 4.1 and 4.4). Li was   cited to show moving nodes in an ad-hoc (MANET) environment to improve communication, as   well as where when nodes maintain their neighbors, calculations are simplified (Sections 1, 5,   and 5.1). Templin was cited to further show the desirability of minimizing node movement as
        node movements results in increased transmissions cost, and breaks and otherwise changes   node links ([39]). By continuing to utilize the blocks of nodes formed by Garg, and by moving nodes but seeking to maintain their neighbors, taught by Li, and where Templin further   teaches that breaking/changing node relationships increases link costs and interrupts   transmissions, collective block movements are taught. This minimizes the changes to node   neighbors to the greatest extent possible, as advocated by Li (Section 5.1) and avoids   interrupting communications as taught Templin ([39]) through maintaining the block structure
        taught by Garg. When the nodes move as a unit, node relationships are inherently maintained   to the greatest extent possible.
Furthermore, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually   where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413,   208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.   1986).
Applicant's arguments thus far have failed to address the above response, and thus Applicant's argument remain unpersuasive for the reasons given above.

10.   Applicant continues arguing by providing their own interpretative summaries of Li, and repeating that the argument that "Li is not concerned with whether a network is biconnected." Said arguments remain unpersuasive for the reasons given above.

11.   Applicant next, on page. 9, addresses part of Applicant's previous response, regarding
        "By continuing to utilize the blocks of nodes formed by Garg, and by moving nodes but   seeking to maintain their neighbors, taught by Li, and where Templin further teaches that   breaking/changing node relationships increases link costs and interrupts transmissions,   collective block movements are taught."
However, Applicant next states that "Regardless of the validity of the Examiner's statement, claim 1 recites collectively moving nodes in one or more leaf blocks to make the network biconnected, not 'collective block movements' as alleged by the Examiner." However, as was noted in the prior Office Action, Garg in view of Li and Templin were cited to teach all of claim 1, including "collectively moving nodes in one or more leaf blocks" where the blocks described by Garg represents Applicant's claimed 'left blocks.' Applicant's above excerpt of the Examiner's argument omits crucial explanatory logic, and Applicant does not address said logic in the response. Applicant's arguments thus are not persuasive.

12.   Applicant next argues that the Examiner's rejection was "piecemeal" and "breaks the feature down into illogical parts" and "clearly impermissible". However, the Examiner does not agree that that utilizing these three references, with the provided motivation to combine, as well as with additional supportive arguments, amounts to a "piecemeal examination". Furthermore, the Examiner does not agree that any of the provided explanations or interpretations of the prior art were "illogical" and the Applicant has not provided any persuasive support for this assertion. Applicant's arguments thus are not persuasive.

13.   Applicant next argues that claim 19 should be allowable for the reasons given above; however Applicant's arguments are unpersuasive for said reasons given above.

14.   Applicant next argues claim 21, rejected under 35 USC 103, Garg in view of Li and Templin. Applicant argues that "Garg et al. does not disclose a movement controller . . ." and provides their own interpretive summaries of several sections of Garg. However, Garg was not cited to teach a movement controller, and thus Applicant's arguments are not persuasive.

15.   Applicant next states that "If the Examiner persists with this rejection, Applicant again request that the Examiner explain how the above-identified sections of Garg et al. can be reasonably interpreted as disclosing a movement controller . . .". The Examiner has never asserted that any sections of Garg teach a movement controller; Li was cited to teach this aspect of the claimed subject matter, which has been addressed above (see Section 1 of Li, specifically having hosts "change their trajectories"). Applicant's arguments thus are not persuasive.

16.   Applicant next argues that Li does not "disclose or suggest a movement controller, within at least one node of a plurality of nodes in a network, that is configured to identify one or more blocks, as one or more identified blocks, to move to make a network biconnected". However, Li was not cited to teach all of this. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

17.   Applicant's arguments thus are not persuasive, as the Examiner did not assert Li taught all of the above.

18.   Applicant next repeats substantially the same argument, but now relating it to Templin. However, said argument is unpersuasive for the reasons given above as Templin was not cited to teach all of what Applicant is arguing.

19.   Applicant next argues what they characterize as "the Examiner's piecemeal examination." However, as was noted above, the Examiner does not agree that that utilizing these three references, with the provided motivation to combine, as well as with additional supportive arguments, amounts to a "piecemeal examination".

20.   Applicant next argues claims 8 and 29, 20, 43 and 44, that said claims should be allowable for the reasons given above; however Applicant's arguments are unpersuasive for said reasons given above.

21.   Next, regarding claims 43 and 44, Applicant argues that in Liao, the cited sections have "no disclosure similar to determining a geographic center of a network as a direction to move one or more nodes." Applicant then provides their own interpretive summary of Liao. However, Liao was not cited to teach all of "determining a geographic center of a network as a direction to move one or more nodes" and thus Applicant's argument is not persuasive.

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22.   Applicant next argues Gibson, arguing that "just because this section of Gibson et al uses the words 'node,' 'weighted,' and 'distance' does not mean that this section of Gibson et al. discloses determining a weighted distance for moving one or more nodes toward a geographic center. However, Gibson was not cited to teach all of "determining a weighted distance for moving one or more nodes toward a geographic center. Furthermore, Gibson clearly teaches moving nodes a weighted distance. The cited section of Gibson, col. 5 lines 1 - 7, states that "a first relaxation step moves each node a distance determined by taking an average (weighted by distance) . . .". Applicant assertion that this passage does not teach weighted distances is not persuasive.

23.   Applicant next argues that Gibson is "related to generating a surface model for a three-dimension object" and "has nothing to do with communication networks" and thus "there could be no reasonable explanation as to why one of ordinary skill in the art" would use "any feature of Gibson". However, as was noted by the Examiner in the previous Office Action:

          Gibson was not cited to teach communication networks, merely the concept of a node moving   a weighting distance. Applicant also argues "there could be no reasonable explanation" to   utilize Gibson's disclosure. However, a clear reason, unaddressed by Applicant, was provided   in the previous office action:

                    It would have been obvious to one of ordinary skill in the art at the time of the   invention to modify the disclosure of Garg in view of Li and Laio with that of   Gibson in order   to provide a route for any node to move to the center of its network, thus allowing for all   nodes to move the shortest distances to improve network density and thus performance (Liao,   pg. 23).

Applicant's argument does not address the supplied motivation statement and thus is not persuasive. Applicant's argument that "the Examiner has not established a prima facie case of obviousness" is similarly unpersuasive, as a clear motivation statement was provided, which the Applicant has not addressed.

24.   Applicant next argues that claims 43, 46 and 47 should be allowable for the arguments given above. However, since Applicant's previous arguments were not persuasive, Applicant's current argument is similarly unpersuasive.

25.   Applicant continues, addressing claim 48, arguing that "Liao et al. does not disclose or suggest means for causing each of the one or more of the nodes to move towards a geographic center to transform a non-bioonnected network to a biconnected network." However, Liao was not cited to teach all of this, and thus Applicant's arguments are not persuasive.

26.   Applicant then addresses Garg, providing their own interpretive summaries of sections 3.1, 3.2, and 4.4 of Garg, stating that said sections "do not disclose or suggest means for causing each of the one or more of the nodes to move towards a geographic center to transform a non-bioonnected network to a biconnected network". However, Garg was not cited to teach all of this. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

27.   Applicant next argues Li, and states that Li "discloses computing a trajectory for sending a message, means for causing each of one or more of the nodes to move towards the geographic center to transform a non-biconnected network to a biconnected network, as recited in claim 48." The Examiner did not cite Li to teach all of the above, however the above statement from the Applicant appears as an admission rather than an argument, and thus is not disputed by the Examiner.

28.   Applicant continues to argue Liao, stating that Applicant "finds absolutely no disclosure similar to means for causing each of one or more nodes to move towards the geographic center to transform a non-biconnected network to a biconnected network." Liao was not cited to teach all of this; in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

29.   Applicant continues by arguing that "The Examiner has not explained how the above sections of Garg et al., Li et al., or Liao et al. can be reasonably construed as disclosing" claim 48. However, an explanation was clearly provided in the prior office action, which is repeated below:

          Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garg in view   of Li, further in view of Liao.

          Regarding claim 48, Garg shows a system for achieving biconnectivity in a non-   biconnected network that includes a plurality of nodes, including transforming a non-   biconnected network into a biconnected network (Garg 3.1, 3.2, 4.4).

          Garg does not show means for causing each of one or more of the nodes to move.

          Li shows means for causing each of one or more of the nodes to move, and directing   said node movement in order to improve network performance (Li, Section 1).

          It would have been obvious to one of ordinary skill in the art at the time of the   invention to modify the disclosure of Garg with that of Li in order to provide for a method for the semi-autonomous robotic nodes of Li's disclosure to efficiently orient and network themselves in a biconnected network, which, due to the lack of cutvertices, provides a reliable   network configuration (an inherent property of biconnected networks, Mount, pg. 1).

          Garg in view of Li do not show identifying a geographic center of the network based on   the locations of the nodes.

          Liao shows determining the geographic center of the network based on the locations of   the nodes (Sections 3.1, pg.8; 3.3, pg. 15, pg. 6).

          It would have been obvious to one of ordinary skill in the art at the time of the   invention to modify the disclosure of Garg in view of Li with that of Liao in order to locate   the area of the network with the average lowest distance to other nodes, as such short   distances, corresponding to node density, can improve performance (Liao pg. 23).

Applicant's arguments have not addressed the reasoning provided in the rejection, nor have the argued what the references were cited to teach. Instead the Applicant has repeatedly asserted that each reference does not teach the entirety of claim 49, said arguments being addressed above. For the reasons given above, Applicant's arguments relating to claim 48 are not persuasive.

30.   Applicant continues by arguing claim 45 should be allowable for the arguments given above. However, since Applicant's previous arguments were not persuasive, Applicant's current argument is similarly unpersuasive.

31.   Next, regarding claim 50, Applicant argues that "Hsu and Li et al. do not disclose or suggest determining a movement schedule for the nodes using one or more linear programming techniques." To support this assertion, Applicant notes that the provided rejection relies on Li to teach said determining and Hsu to teach said linear programming. Applicant next states that the "strenuously object to the Examiner's piecemeal examination" and that the "rejection is improper." However, the Examiner does not agree that the reasoned rejection made under 35 USC 103 was piecemeal, and does not feel that Applicant presented any persuasive counter-

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argument. Applicants arguments, including that no prima facie case of obviousness was established, thus is not persuasive.

32.   Applicant continues by arguing claims 51 and 52 should be allowable for the arguments given above. However, since Applicant's previous arguments were not persuasive, Applicant's current argument is similarly unpersuasive.

33.   Applicant next argues claim 54, rejected under Hsu in view of Li. To support their argument, Applicant attacks the references individually. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

34.   Applicant next argues that the motive statement on page 9 of the Final Office Action "lacks merit." However, Applicant has not addressed all of the motivation provided on page 9. The full motivation statement provided was:

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Hsu with that of Li in order to provide for a method for the semi-   autonomous robotic nodes of Li's disclosure to efficiently orient and network themselves in a   biconnected network, which, due to the lack of cutvertices, provides a reliable network   configuration (an inherent property of   biconnected networks Mount, pg. 1).

Furthermore, it would have been obvious to one of ordinary skill in the art at the time   of the invention to utilize the linear programming techniques of Hsu with that of Li in order to   utilize an efficient solution to determining biconnectivity. Thus Applicant's argument is not   persuasive.

35.   Applicant's assertion that the above motivation "lacks merit" is not persuasive.

36.   Applicant next argues, after providing their own interpretations of what Hsu and Li disclose, that "one of ordinary skill in the art would not have been motivated to combine the disclosure of Li et al. and Hsu absent impermissible hindsight gleaned solely from Applicant's specification." However, Applicant does not support their assertion, and thus it is not persuasive; especially in light of the above motivation statement, which was also provided in the Final Office Action.

37.   Applicant next argues that "the Examiner has not provided a valid motivation for combining", which is not persuasive for the reasons given above.

38.   Applicant concludes by arguing claims 53 and 54 should be allowable for the arguments given above. However, since Applicant's previous arguments were not persuasive, Applicant's current argument is similarly unpersuasive.   .